IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE L.NARASIMHA REDDY**

**WRIT PETITION NO : 22455 of 2004**

Between:

Dr.Md. Shafiulla, S/o Sahik Nabi,
Hameedpura, Adilabad Proper and District.

**..... PETITIONER**

AND

1 The Station House Officer, P.S. Adilabad I Town, Adilabad Proper and

District.
2 Veguar Ahmed, S/o Ishaq Ahmed,
Hameedpura area, Adilabad Proper and District.
3 Hafeez Ali, S/o Asgar Ali
Hameedpura area, Adilabad Proper and District.
4 Mohd. Razeeq, s/o Rauf,
Hameedpura area, Adilabad Proper and District.
5 Abdul Samad, S/o Abdul Sattar,
Hameedpura area, Adilabad Proper and District.
6 Shabir Ahmed,
Hameedpura area, Adilabad Proper and District.
7 Zikrullah,
Hameedpura area, Adilabad Proper and District.
8 Mohd. Habib,
Hameedpura area, Adilabad Proper and District.
9 Mohd. Riyaz,
Hameedpura area, Adilabad Proper and District.
10 Abdul Ahad, S/o M.A. Saleem,
Hameedpura area, Adilabad Proper and District.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of writ of mandamus or any other appropriate writ declaring the action of the respondent No.1 in not taking any action as per Law and arresting them even though a FIR in Crime No. 59 of 2004 dated 9-4-2004 offences punishable under sections 296, 323, 506(ii) of IPC is arbitrary, illegal, null and void and consequently direct the respondent No.1 to take necessary action against the respondents No.2 to 10 against whom a FIR is registered in Crime No. 59 of 2004 dated 9-4-2004 offences punishable under sections 296,323, 506 (ii) of IPC and to pass such other order or orders.

**Counsel for the Petitioner:MR.K.VENUMADHAV**

**Counsel for the Respondent No.1: GP FOR HOME**

**The Court at the stage of admission made the following ORDER:**

Petitioner submitted a complaint before the first respondent alleging that respondents 2 to10 have assaulted and threatened to kill him. On the basis of the same, the first respondent registered F.I.R.No.59 of 2004. The petitioner alleges that though the F.I.R. was registered way back on 09.04.2004, the first respondent has not taken any steps so far.

Heard learned counsel for the petitioner and learned Government Pleader for Home.

The limited grievance of the petitioner is about the alleged inaction on the part of the first respondent. The writ petition was adjourned twice with a view to enable the learned Government Pleader for Home to obtain instructions. It is stated that as of now the statements of six persons were recorded and all the accused except three were apprehended. They are still said to be absconding. In that view of the matter, it cannot be said that there was any inaction or indifference on the part of the first respondent. It is represented by the learned Government Pleader for Home that the first respondent is making efforts to apprehend the other three accused and to produce them before the Court.

Hence, the writ petition is disposed of directing the first respondent to take necessary steps in the matter and to file the charge sheet before the trial Court within four weeks from the date of receipt of a copy of this order. No order as to costs.

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13.12.2004

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To

1 The Station House Officer, P.S. Adilabad I Town, Adilabad Proper and District.

2 Two CCs. to the G.P. for Home, High Court of A.P., Hyderabad (OUT).

3 Two CD copies.